

DAVID L. ANDERSON (CABN 149604)
United States Attorney

HALLIE HOFFMAN (CABN 210020)
Chief, Criminal Division

CHRISTINA LIU (CABN 308362)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7199
FAX: (415) 436-7234
christina.liu@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. CR 19-604-4 RS
)	
Plaintiff,)	STIPULATION AND ORDER TO CONTINUE
)	STATUS CONFERENCE AND TO EXCLUDE
v.)	TIME UNDER THE SPEEDY TRIAL ACT
)	
JOSE VEGA-SAINZ,)	
)	
Defendant.)	
)	

The parties appeared before this Court in the above-captioned matter on August 11, 2020 for a telephonic status conference. Dkt. No. 92 (Min. Entry). The Court scheduled the next hearing in this case as a status conference on October 20, 2020, *id.*, and subsequently to December 1, 2020, Dkt. No. 104 (Order).

On November 20, 2020, at the parties' request, the Court referred this matter to Probation for the preparation of a presentence report as to defendant Jose Vega Sainz's criminal history only. Dkt. No. 117 (Order).

The parties stipulate and agree that the United States has produced discovery to defense counsel and the parties are actively negotiating an opportunity to resolve the case. Defense counsel and defendant require more time to discuss and prepare for this potential case resolution, including by

awaiting and reviewing Probation's assessment of defendant's criminal history.

The parties now stipulate and request that the December 1, 2020 status conference be continued for at least six weeks, to a subsequent date deemed appropriate by the Court.

In addition, the parties stipulate and agree that it would be appropriate to exclude the time from December 1, 2020 through the next status conference, under the Speedy Trial Act, to allow for effective preparation of counsel and taking into account the exercise of due diligence. *See* 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv). The parties further stipulate and agree the ends of justice served by excluding the time from December 1, 2020 through the next status conference from computation under the Speedy Trial Act outweigh the best interests of the public and defendant in the prompt resolution of this case. *Id.*

The undersigned Assistant United States Attorney certifies she has obtained approval from counsel for defendant to file this stipulation and proposed order.

IT IS SO STIPULATED.

DATED: November 25, 2020

/s/ Christina Liu

CHRISTINA LIU

Assistant United States Attorney

DATED: November 25, 2020

/s/ with permission

KAREN MCCONVILLE

Attorney for Defendant Jose Vega-Sainz

ORDER

Based upon the representations of counsel and for good cause shown, the Court finds that failing to exclude the time from December 1, 2020 through January 12, 2021 would unreasonably deny defense counsel and defendant the reasonable term necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

The Court further finds that the ends of justice served by excluding the time from December 1, 2020 through January 12, 2021 from computation under the Speedy Trial Act outweigh the best interests of the public and defendant in the prompt resolution of criminal cases. *See id.* § 3161(h)(7)(A).

Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from December 1, 2020 through January 12, 2021 shall be excluded from computation under the Speedy Trial Act. *Id.* §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

Furthermore, IT IS HEREBY ORDERED that the status conference set for December 1, 2020 at 2:30 p.m. is rescheduled for January 21, 2021 at 2:30 pm.

Dated: November 25, 2020



THE HONORABLE RICHARD SEEBORG
United States District Judge